

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ALEXANDER SOMERS,

Plaintiff,

v.

PHIL ANDERSON, et al.,

Defendants.

NO: 12-CV-3131-TOR

ORDER GRANTING VOLUNTARY  
DISMISSAL WITH PREJUDICE

BEFORE THE COURT is Plaintiff's Motion for Voluntary Dismissal (ECF No. 26). Plaintiff filed a notice of voluntary dismissal with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) on January 2, 2013. Because Defendants have neither filed an answer nor moved for summary judgment, Plaintiff has an absolute right to voluntarily dismiss this case. Fed. R. Civ. P. 41(a)(1)(A)(i).

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1 **ACCORDINGLY, IT IS HEREBY ORDERED:**

2 All claims and causes of action in this matter are **DISMISSED** with  
3 prejudice and without costs or fees to any party. All pending motions are  
4 **DENIED** as moot.

5 The District Court Executive is hereby directed to enter this Order, furnish  
6 copies to counsel, and **CLOSE** the file.

7 **DATED** this 2<sup>nd</sup> day of January, 2013.

8 *s/ Thomas O. Rice*

9 THOMAS O. RICE  
10 United States District Judge  
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